IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6550 OF 2005

Prakash Futermal Jain ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri T.K. Sayed for the Applicant.
Ms M.H. Mhatre, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 18, 2005.

P.C.:

1. The prayer in this Application is for modification of the condition requiring the Applicant to furnish two local sureties from the city of Bhiwandi, District Thane. The learned Advocate appearing for the Applicant pointed out that as two local sureties are not available, the Applicant could not avail of the benefit of the order dated 20th July, 2005. He submitted that one surety residing at Mumbai who is a close relative of the Applicant may be ordered to be accepted and the Applicant be ordered to be released on cash bail for a limited period of six weeks with a condition to furnish surety.

2. I have heard the learned A.P.P. for the State. Reasons for requiring furnishing of two local sureties are already recorded in order dated 20th July, 2005. If the Applicant cannot furnish two local

sureties, he will have to furnish atleast one local surety. In my view, the order needs modification to the limited extent.

3. Hence, I pass the following order:

: O R D E R :

i) Clause No.(i) of the order dated 20th July, 2005 in Criminal application No.4283 of 2005 will read as under:

> i) The Applicant shall be enlarged on bail in connection with C.R.No.287 of 2003 registered with Nehru Nagar Police Station, subject to furnishing a personal bond in the sum of Rs.25,000/- with two sureties one of which will be a local surety from the city of Bhiwandi and the other surety from the city of Mumbai to make up the amount of Rs.25,000/-.

ii) Rest of the order stands as it is.

JUDGE